

**CITY UTILITIES COMMITTEE**

**MINUTES**

**FEBRUARY 12, 2013**

**9:30 A.M.**

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, February 12, 2013 at 9:33 a.m., in Committee Room #2.** The following members were present:

**The Honorable Howard Shook, Chair**  
**The Honorable C. T. Martin**  
**The Honorable Yolanda Adrean**  
**The Honorable Alex Wan**  
**The Honorable Carla Smith**  
**The Honorable Aaron Watson**

The following member was absent:

**The Honorable Natalyn M. Archibong, Vice-Chair**

Others present at the meeting were: Stephanie Grant, Marc Goncher, and Renee Sheperd, Law Department; Commissioner JoAnn J. Macrina, Commissioner Richard Mendoza, members of the public, press and Council Staff.

Chairman Shook called the meeting to order at 9:33 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- REGULAR**
- C. ORDINANCE FOR SECOND READING**

13-O-0119 ( 1) A **Substitute** Ordinance by City Utilities Committee amending Chapter 154 of the City of Atlanta Code of Ordinances for the purpose of establishing the City of Atlanta Care and Conserve Grant Program, together with applicable provisions governing the Program; authorizing the use of certain Water and Sewer Revenues for the purpose of funding the Care and Conserve Program; and for other purposes.

**(Councilmember Martin made a motion to substitute and hold)**

**SUBSTITUTED AND HELD**

**D. RESOLUTIONS**

- 13-R-0181 ( 1) A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Renewal Agreement Number 1 with Ceres Environmental Services, Inc., for FC-5272A, Annual Contract for Emergency On Call Services, on behalf of the Department of Public Works For Time Only; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 13-R-0182 ( 2) A **Substitute** Resolution by City Utilities Committee authorizing Renewal No. 1 with ATC Associates, Inc. and C.E.R.M., Inc., a Joint Venture for FC-4918A, Geotechnical, Environmental Engineering, Testing and Investigation Services, on behalf of the Departments of Public Works, Parks, Recreation and Cultural Affairs, Planning and Community Development and Watershed Management; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**

- 13-R-0183 ( 3) A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Renewal Agreement Number 1 with DRC Emergency Services, LLC., for FC-5272D, Annual Contract for Emergency On Call Services, on behalf of the Department of Public Works For Time Only; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 13-R-0184 ( 4) A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Renewal Agreement Number 1 with Ashbritt, Inc., for FC-5272C, Annual Contract for Emergency On Call Services, on behalf of the Department of Public Works For Time Only; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 13-R-0185 ( 5) A Resolution by City Utilities Committee authorizing the Mayor or his designee to enter into Renewal Agreement Number 1 with Civil Works, Inc., for FC-5272B, Annual Contract for Emergency On Call Services, on behalf of the Department of Public Works For Time Only; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 13-R-0186 ( 6) A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Healey Weatherholtz Properties, LLC, owner of real property located at 3400 Around Lenox Drive, NE, Atlanta, Georgia for the purpose of permitting dumpster enclosures which will partially extend into the right-of-way for an approximate total of 75 square feet; and for other purposes.  
**(Councilmember Adrean made a motion to approve)**

**FAVORABLE**

- 13-R-0187 ( 7) A Resolution by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Kim Hong Jun, owner of real property located at 75 Ponce de Leon Avenue, NE, Atlanta, Georgia for the purpose of permitting four (4) overhead awnings along the north side of Ponce de Leon Avenue; and for other purposes.  
**(Councilmember Adrean made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

13-R-0188 ( 8) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to encumber year three (3) funding to Republic Services of Georgia, LP for FC-5035B, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Watershed Management, in an amount not to exceed \$340,000.00; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Councilmember Wan made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE**

13-R-0189 ( 9) A **Substitute** Resolution by City Utilities Committee authorizing the Mayor to encumber year three (3) funding to Georgia Waste Systems, Inc., d/b/a Waste Management of Atlanta for FC-5035A, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Watershed Management, in an amount not to exceed \$200,000.00; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Councilmember Wan made a motion to approve on substitute)**

**FAVORABLE ON SUBSTITUTE26**

**E. ORDINANCE FOR FIRST READING**

13-O-0190 ( 1) An Ordinance by City Utilities Committee authorizing the Mayor or his designee, on behalf of the City of Atlanta, to waive the provisions contained in Chapter 138, Article II, Division 6, Section 138-60 entitled "Flags, Banners, Signs, Displays" of the City of Atlanta Code of Ordinances and specifically waiving the Banner Deposit Fee of \$1,000.00 pursuant to Code Section 138-60(a)(7), the Banner Permit Fee of \$100.00 pursuant to Code Sections 138-60(a)(8)b.1 and 138-60(a)(8)b.2 for Atlanta Jazz Festival Year 2013 and allowing the Department of Parks, Recreation and Cultural and Cultural Affairs a permit to display banners for the Atlanta Jazz Festival in the public right-of-way for Year 2013; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

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**F. PAPERS HELD IN COMMITTEE**

- 10-O-1058 ( 1) An **Amended** Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 ( 2) A **Substitute** Ordinance by City Utilities Committee to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees), Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**
- 10-O-1688 ( 3) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in

**PAPERS HELD IN COMMITTEE (CONT'D)**

Exhibit "B" lying and being in Land Lot 109 of the 14<sup>th</sup> District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

- 11-O-0080 ( 4) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**
- 11-R-0088 ( 5) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**
- 11-O-0108 ( 6) An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**
- 12-R-0376 ( 7) A Resolution by City Utilities Committee authorizing the initiation of the process of renaming that portion of Greenbriar Parkway between Barge Road to the west and the intersection of Greenbriar Parkway and Continental Colony Parkway to the east to Tyler Perry Way by and through actions of the Commissioner of Department of Public Works or his designee; and for other purposes. **(Held 3/13/12 for further review)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 12-O-0563 ( 8) An Ordinance by City Utilities Committee to amend Article V of Chapter 154 of the Atlanta City Code entitled "Sewerage Disposal"(§154-196 et seq.); to address findings of a Pretreatment Compliance Audit conducted by the United States Environmental Protection Agency; and for other purposes. **(Held 5/15/12 for further review)**
- 12-R-1597 ( 9) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$ \_\_\_\_\_ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards \_\_\_\_\_ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes. **(Held 11/13/12)**
- 12-R-1646 (10) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Agreement with Site Engineering, Inc., for FC-6034, Water Distribution System Improvements – Southwest Area, on behalf of the Department of Watershed Management, in an amount not to exceed \$2,762,667.50; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes. **(Held 11/27/12 at the request of the Department)**

**G. REQUESTED ITEMS**

1. Councilmember Adrean requested that metrics be developed to show compliance with safety procedures. (i.e. # of incidents, % of time in compliance) - Watershed
2. The Sidewalk Task Force next meeting will be held Thursday, February 14, 2013 from 5:30 to 7:00 p.m. in Committee Room #1.
3. Councilmember Adrean requested a list of the infrastructure in need of repair and a 5 Year Financial Plan from the Department of Watershed Management.

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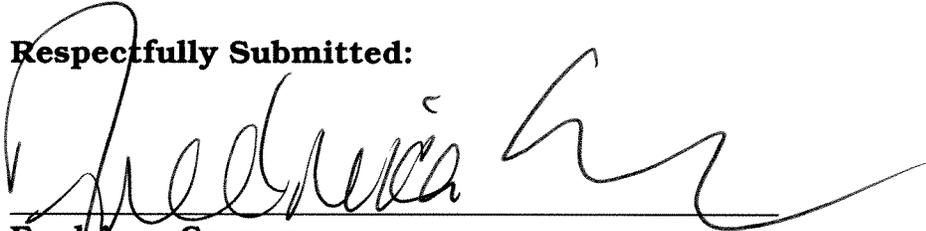
**REQUESTED ITEMS (CONT'D)**

4. A report on the Safety Program in the Department of Watershed Management:
  - a. What the City has paid so far in claims?
  - b. How many cameras have been purchased?
  - c. A report on the City of Atlanta purchases/investments for the past five (5) years on safety concerns.
  - d. What are the present and future plans?
5. Councilmember Adrean requested a report on fines for spills in 2011 and 2012, by the next Committee meeting, 11/13/12. (12-R-1501)
6. Councilmember Martin asked Commissioner Macrina to provide a copy of the PMT contract and the percentage of MBE participation associated with the contract.
7. Councilmembers Smith and Martin asked Commissioner Mendoza to provide recruitment information used to fill vacancies within the department.
8. Councilmember Martin made a request to the CFO, Jim Beard to provide a list of excess Bond Project Funds.

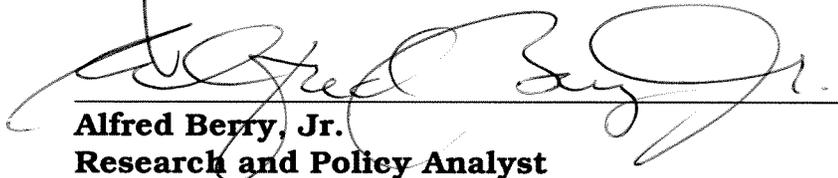
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**There being no further business to come before the Committee, the meeting adjourned at 10:01 a.m.**

**Respectfully Submitted:**



**Fredrica Cooper  
Legislative Assistant**



**Alfred Berry, Jr.  
Research and Policy Analyst**



**The Honorable Howard Shook, Chair  
City Utilities Committee**